IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.8417 of 2007

TUESDAY, THE FIFTH DAY OF JUNE TWO THOUSAND AND SEVEN

Between:

Khaja Nayeemuddin, S/o. Khaja Basheeruddin,
Aged about 24 years, Occ: Student in 1st D.Ed.,
Urdu Medium at Govt., DIET, Karimnagar,
Karimnagar District.

… Petitioner

And

The Director of School Education, Govt. of
Andhra Pradesh, Lakdikapool, Hyderabad,
And others.

… Respondents

Order:

The petitioner, a student of Diploma in Education in the third respondent-Government Institution, has filed this Writ Petition seeking Writ of Mandamus to declare the action of the respondents in not permitting him to appear for the first year, which were held from 26-04-2007, as illegal and arbitrary.

As per the applicable academic instructions, a student must

possess 80% attendance, to be eligible to write examinations. From the letter of the Principal, Government DIET, Karimnagar, dated 29-3-2007, addressed to the Director of School Education, Andhra Pradesh, Hyderabad, it is evident that the petitioner was possessing only 57% of attendance.

There is also provision to condone the shortage of attendance in deserving cases and even such condonation is limited to 10%. The shortage of attendance beyond a point cannot be excused at all.

As per the academic regulations, if a candidate puts in attendance below 70%, he is not eligible to write examinations. Though it is submitted by the learned counsel for the petitioner that petitioner could not attend classes for some time due to ill-health, but even if the said period is taken, petitioner does not possess requisite attendance. In view of the above, no direction as sought for can be issued, in absence of the petitioner possessing requisite attendance.

The Writ Petition is devoid of merits and is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY.

DATE: June 5, 2007
MRR/Msnr.